

The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Wednesday, February 28, 2007 at 1:00 p.m. in Committee Room #2, City Hall South, 2<sup>nd</sup> Floor.

**Present:** Councilmember Howard Shook, Chair  
Councilmember Felicia A. Moore  
Councilmember Jim Maddox  
Councilmember Cleta Winslow  
Councilmember Clair Muller

Janice D. Davis, CFO  
Departmental Staff

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**Absent:** Councilmember Kwanza Hall

Chairperson Shook called the meeting to order at 1:10 p.m. after declaring a quorum present. The Committee members present were introduced as follows: Councilmembers Felicia A. Moore, Jim Maddox, Cleta Winslow and Clair Muller. Other Departmental staff was present as well.

The Agenda was adopted as printed with the addition of one First Read Ordinance and two Resolutions. Minutes of the February 14, 2007 Regular Finance/Executive Committee were also adopted.

#### **DISCUSSION ITEM:**

#### **LEGISLATIVE UPDATE – OFFICE OF INTERGOVERNMENTAL AFFAIRS**

**Ms. Megan Middleton:** Intergovernmental Affairs Manager of the Mayor's Office addressed the Committee by stating that we are moving at a slow pace right now. A significant number of items have been dropped, except for **HB 318** (the Pension Fund Bill). It is a good Bill, but it did not pass anything. That Bill is in the House and has passed out of the Committee. Chairperson Shook stated that our hope is to do an amended new definition. Who is the beneficiary of the new rules? Ms. Middleton responded the State and she does not know of any others. She would check on the information. We are looking for other sponsorships. **HB 2**, the Annexation Bill is still in the Committee and has not had its second hearing. **HB 227**, the Video Franchising Bill did pass the Energy Committee. Changes in the Bill was to add the consumer complaint oversight audit would go to the Secretary of State's Office. Another change is that it would be amended to a 5% franchise fee. There could be negotiations. There was language for an amendment for channels. It is now in the House Rules Committee. **SB 89**, creating Townships will be heard today in the Committee. License, Fines and Vehicles passed the House. **HB 140**, the Tax Holiday Bill passed the House. It has not been assigned yet. It is in the Subcommittee. **SB 71**, the Elections Bill passed the Senate and the House. **SB 92**, the Data Collections and Sales Tax Data have been assigned to the House Ways and Means Committee. **HB 305** and **HB 306**, Annexation of Property will be brought before the Committee today in a Resolution form. It will go before the Economic Development Committee. Councilmember Moore asked if we are waiting on other portions before taking a position. Ms. Middleton responded that it was introduced, but did not have any movement. There have been some requests from GMA that the elected leaders put a hold on Annexations.

**Senator Vincent Fort:** addressed the Committee by stating that he has drafted Legislation regarding No Knock Warrants. He wanted to present the Bill to this Committee today. It states that there should not be a warrant issued for special circumstances. The Bill states that a warrant will not be issued unless it is supported with clear and sufficient evidence or if it is for eminent danger to a life. We want to protect the community and the Officer. Councilmember Moore stated that she wants the people inside the house as well as the people outside of the house protected. Senator Fort responded that it is for sufficient and eminent danger to any human life. It is for the Officer or people nearby or in the house. Councilmember Moore asked about the evidence piece. Senator Fort responded that when an Officer knocks on a door, they can go in 6 seconds afterward, whether there is a response or not. The Police

Officers believe that drugs could be destroyed if they delay entrance. Do we believe that there should be some restrictions? If there are other proposals, they should come forward. Citizens should be safe in their homes. Councilmember Moore asked if there are other restrictions. Senator Fort responded no. Councilmember Moore stated that drugs rise to eminent danger. You would have to convince a Judge to get a warrant to enter without knocking. Senator Fort responded that all narcotics cases are a basis for a No Knock Warrant. He has a problem with people disrupting the public business. Chairperson Shook asked what is the process? Senator Fort responded that it has been assigned to the Judiciary Committee. He has been talking to Judges and Lawyers regarding this. He came to ask the City Council to go on record as supporting and making this a part of their Legislation Package. Councilmember Moore asked if the last words "knocking as an eminent danger" can be misinterpreted. Senator Fort responded that it is not a hard and fast legal term. This is a higher standard. The Judge should have discretion. Councilmember Moore asked if someone went to a Judge and executed a No Knock Warrant, and the warrant rises to a Knock Warrant, this does not exclude this. Senator Fort asked what is the process to make this part of your Legislative Package? Chairperson Shook stated that the Public Safety Committee has been looking at these issues. He wants to hear from that Committee first. Councilmember Winslow stated that we have not talked about the No Knock Warrant, but we are dealing with the Citizen Review Board. A Councilmember or the Committee would have to introduce it. Councilmember Maddox asked how many more days do you have at the General Assembly. Senator Fort responded 26 or 27 days. Councilmember Maddox stated that will give us some time and he could do it himself. Usually we introduce papers to support something and Council would have to approve it. He then asked the Chair to send it to our Law Department for their review. The attempt is to try to prevent something from happening again. If the Law Department agrees, he will introduce it. He concluded by stating that he was pleased with the discussions with the Black Elected Officials regarding the para mutual betting issue.

#### **CONSENT AGENDA**

#### **TO AUTHORIZE THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA, TO QUITCLAIM TO THE ATLANTA INDEPENDENT SCHOOL SYSTEM**

07-O-0310 (1)      An Ordinance by Finance/Executive Committee Authorizing the Mayor, on behalf of the City of Atlanta, to quitclaim to the Atlanta Independent School System, property located in Land Lot Fourteen of the Fourteenth District of Fulton County, Georgia; and for other purposes.

#### **FAVORABLE ON FIRST READ**

#### **TO AMEND ARTICLE "V", CLASSIFICATION PLAN, SECTION 114-477, OF THE CODE OF ORDINANCES, CITY OF ATLANTA**

07-O-0311 (2)      An Ordinance by Finance/Executive Committee to Amend Article "V", Classification Plan, Section 114-477, of the Code of Ordinances, City of Atlanta, Georgia, so as to create Classifications positions; Grant above entry authorization; and for other purposes.

#### **FAVORABLE ON FIRST READ**

#### **TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO AMEND THE 2007 (PARK IMPROVEMENT FUND BUDGET**

07-O-0312 (3)      An Ordinance by Finance/Executive Committee Authorizing the Chief Financial Officer to amend the 2007 (Park Improvement Fund) Budget, on behalf of the Department of Parks, Recreation and Cultural Affairs, in the amount of one million two hundred seventy thousand seven hundred twenty six dollars and no cents

(\$1,270,726.00) by Transferring Funds from 1C22 (Park Improvement Fund) 791001 (Reserve For Appropriations) T11001 (Reservation of Fund Appropriations) to various Fund Account and Center Numbers listed herein, to recover balance forward Appropriations in the Park Improvement Fund; and for other purposes.

**FAVORABLE ON FIRST READ**

**TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO AMEND THE 2007 (CIVIC CENTER FUND) BUDGET**

07-O-0313 (4) An Ordinance by Finance/Executive Committee Authorizing the Chief Financial Officer to Amend the 2007 (Civic Center Fund) Budget, on behalf of the Department of Parks, Recreation and Cultural Affairs, in the amount of forty seven thousand three hundred eighteen dollars and no cents (\$47,318.00) by Transferring Funds From 2R21 (Civic Center Renewal and Extension Fund) 791001 (Reserve For Appropriations) T11001 (Reservation of Fund appropriations) to 2R01 (Civic Center Revenue Fund) 723001 (Service Repair and Maintenance) N42101 (Civic Center), to recover balance forward Appropriations in the Civic Center Fund; and for other purposes.

**FAVORABLE ON FIRST READ**

**TO AMEND THE 2007 (WATER AND WASTEWATER REVENUE FUND) BUDGET**

07-O-0314 (5) An Ordinance by Finance/Executive Committee to Amend the 2007 (Water and Wastewater Revenue Fund) Budget, Department of Watershed Management, by Transferring Appropriations in the amount of one million five hundred thousand dollars and no cents (\$1,500,000.00) to provide funding for the Department of Watershed Management Customer Information Systems; and for other purposes.

**FAVORABLE ON FIRST READ**

**TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO AMEND THE 2007 (PARKS FACILITIES REVENUE FUND) BUDGET**

07-O-0315 (6) An Ordinance by Finance/Executive Committee Authorizing the Chief Financial Officer to Amend the 2007 (Parks Facilities Revenue Fund) Budget, on behalf of the Department of Parks, Recreation and Cultural Affairs, in the amount of one thousand two hundred dollars and no cents (\$1,200.00) by Transferring Funds from 2K21 (Parks Facilities Renewal and Extension Fund) 791001 (Reserve For Appropriations) N42301 (Cyclorama) to 2K01 (Parks Facilities Revenue Fund) 723001 (Service Repair and Maintenance) N42301 (Cyclorama), to recover balance forward Appropriations in the Parks Facilities Revenue fund; and for other purposes.

**FAVORABLE ON FIRST READ**

**TO AUTHORIZE THE MAYOR, ON BEHALF OF THE DEPARTMENT OF FIRE AND RESCUE, TO GRANT A TEMPORARY CONSTRUCTION ENTRY EASEMENT AGREEMENT**

07-O-0316 (7) An Ordinance by Finance/Executive Committee Authorizing the Mayor, on behalf of the Department of Fire and Rescue, to grant a Temporary Construction Entry Easement Agreement, to the Atlanta Independent School System, for the purpose of restructuring the Drainage Basin and Plumbing on and near Fire Station #14, located at 1203 Lee Street and at Finch Elementary School, located at 1114 Avon Street, Atlanta, Georgia; and for other purposes.

**FAVORABLE ON FIRST READ**

**REGULAR AGENDA**

**TO ANTICIPATE AND APPROPRIATE BOND PROCEEDS IN THE AMOUNT OF \$8,000,000**

07-O-0113 (1) An Ordinance by Finance/Executive Committee to Anticipate and Appropriate Bond Proceeds in the amount of \$8,000,000 from the Annual 2007 General Obligation Bonds Issue to fund Various Municipal Projects; and for other purposes.

**HELD**

**TO PROVIDE FOR (1) THE SALE OF \$8,000,000 CITY OF ATLANTA VARIOUS PURPOSE GENERAL OBLIGATION BONDS**

07-O-0185 (2) An Ordinance by Finance/Executive Committee Providing for (1) the sale of \$8,000,000 City of Atlanta Various Purpose General Obligation Bonds, Series 2007A (The "Bonds"); (2) the redemption of the Bonds prior to maturity upon certain terms and conditions; (3) the execution and delivery of the Bonds; (4) the form of the Bonds; (5) the Levy of a continuing direct annual Ad Valorem Tax without limit as to rate or amount to pay the Bonds and the interest thereon when due and payable; (6) the creation and maintenance of a Project Fund and a Bond Fund; (7) the acceptance of the best responsible bid resulting in the lowest true interest cost for the Bonds and the delivery of the Bonds; (8) the approval of an Official Statement with respect to the Bonds and authorizing the execution and delivery thereof; (9) the execution of a certificate pertaining to the use of the proceeds derived from the sale of the Bonds; (10) the undertaking of a continuing Disclosure Commitment in compliance with S.E.C. Rule 15C2-12(B)(5) and (11) and for other purposes.

**FORWARD WITH NO RECOMMENDATION**

**Ms. Karen Carter:** Director of the Office of Municipal Finance addressed the Committee by stating that this is the annual \$8 million dollar Bond Issuance. We will be issuing this for the last time attributable to the City and the Schools. The Bonds will be priced on March 5<sup>th</sup> and we would have the final numbers by then. Councilmember Maddox asked if this is the last time for the Board of Education as well. CFO Davis responded that the Board would have to make that decision whether to continue or not. Councilmember Maddox stated that we don't have a breakdown of how the funds will be spent attached. CFO Davis responded that **07-O-0113** appropriates the funds. There is a list attached to **07-O-0113**. Chairperson Shook stated that we would get a Substitute on Monday. We are Holding **07-O-0113** pending the sale of the Bond.

Councilmember Maddox offered a motion to move **Forward With No Recommendation, 4 Yeas.**

**TO AUTHORIZE THE DEPARTMENT OF FINANCE TO CONVERT ALL FUND, ACCOUNT AND CENTER NUMBERS PREVIOUSLY APPROVED BY THE ATLANTA CITY COUNCIL**

07-O-0208 (3) An Ordinance by Finance/Executive Committee Authorizing the Department of Finance to convert all Fund, Account and Center Numbers previously approved by the Atlanta City Council to the Fund Department Organization Account structure required by the Uniform Chart of Accounts for Local Governments in Georgia; and for other purposes.

**FAVORABLE**

**Mr. Ray Zies:** Controller of the Department of Finance addressed the Committee by stating that in 1997 the Georgia General Assembly passed the Uniform Government Chart of Accounts. **HB 491** would have been adopted by 2001. The City never implemented this. As part of the Oracle implementation, we need to do this. This seeks to move all Appropriations and Anticipations. We will not increase or decrease any Appropriations. The conversion may require interim moves in MARS before we move them to Oracle. He has included some examples in the package. The function activity is the new structure that helps identify the new account stream. The expenditures will stay the same. Chairperson Shook asked how many times we would have to do this. CFO Davis responded that we've probably looking at a million or more. We are moving every part of the transactions. We are doing it now because we are moving to Oracle. We are not penalized or will face any enforcement actions. Councilmember Maddox offered a motion to **Approve, 4 Yeas.**

**TO AMEND THE 2007 BUDGET OF THE WESTSIDE TAD FUND (1B09)**

07-O-0209 (4) An Ordinance by Finance/Executive Committee to Amend the 2007 Budget of the Westside TAD Fund (1B09); and for other purposes.

**FAVORABLE**

**Mrs. Dana Boone:** Chief of the Debt and Investment Office addressed the Committee by stating that we have four pieces of Legislation to amend the Budget for the various TADS. The funds will be Appropriated from the Reserve Funds. When we came before the Finance/Executive Committee in October 2006, we identified these TADS as excess increments. They could only be excess increments after the Bonds were paid off. These are truly increments. Councilmember Winslow offered a motion to **Approve, 4 Yeas.**

**TO AMEND THE 2007 BUDGET OF THE ATLANTIC STATION TAD FUND (1B08)**

07-O-0210 (5) An Ordinance by Finance/Executive Committee to Amend the 2007 Budget of the Atlantic Station TAD Fund (1B08); and for other purposes.

**FAVORABLE**

Councilmember Winslow offered a motion to **Approve, 4 Yeas.**

**TO AMEND THE 2007 BUDGET OF THE EASTSIDE TAD FUND (1B12)**

07-O-0211 (6) An Ordinance by Finance/Executive Committee to Amend the 2007 Budget of the Eastside TAD Fund (1B12); and for other purposes.

Councilmember Winslow offered a motion to **Approve, 4 Yeas.**

**TO AMEND CHAPTER 2, ARTICLE VIII, DIVISION 1, SECTION 2-857 (A) OF THE CITY OF ATLANTA CODE OF ORDINANCES**

07-O-0272 (7) A **Substitute** Ordinance by Finance/Executive Committee to Amend Chapter 2, Article VIII, Division 1, Section 2-857 (a) of the City of Atlanta Code of Ordinances entitled "Reimbursement of Convention, Training and Travel Expenses", to revise existing Travel and Training Policies to comply with Internal Audit Recommendations; and for other purposes. **(Finance/Executive Committee Substitute..., 2/28/07)**

**FAVORABLE ON SUBSTITUTE**

CFO Davis stated that they are two separate parts of the Government. We also made a provision for rental cars. There is an exemption for the President of Council and the Mayor. Councilmember Moore asked why do we have two different policies. Mr. Zies responded that there are two Ordinances. One is for City Councilmembers and the Municipal Clerk (**02-O-0273**) and the other one is for everybody else. CFO Davis added that we are referencing that we are two parts of the Government. We are not changing the Code. Councilmember Maddox offered a motion to **Approve on Substitute, 4 Yeas.**

**TO AMEND CHAPTER 2, ARTICLE II, DIVISION 1, SECTION 2-42 (A) OF THE CITY OF ATLANTA CODE OF ORDINANCES**

07-O-0273 (8) A **Substitute** Ordinance by Finance/Executive Committee to Amend Chapter 2, Article II, Division 1, Section 2-42 (a) of the City of Atlanta Code of Ordinances entitled "Convention, Training and Travel Expenses for Councilmembers and Staff", to revise existing Travel and Training Policies to comply with Internal Audit Recommendations; and for other purposes. **(Finance/Executive Committee Substitute..., 2/28/07)**

**FAVORABLE ON SUBSTITUTE**

Councilmember Maddox offered a motion to **Approve on Substitute, 3 Yeas, 1 Nay.**

**TO AUTHORIZE THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA ("CITY"), TO ENTER INTO NEGOTIATIONS WITH FULTON COUNTY**

07-O-0274 (9) A **Substitute** Ordinance by Finance/Executive Committee Authorizing the Mayor or her Designee, to enter into negotiations with Fulton County to purchase the former Adams Park Library property located at 1480 Delowe Drive, SW, Atlanta, Georgia 30331 on behalf of the City of Atlanta ("City"); and transfer to and from Appropriations in the 2007 General Government Capital Outlay Fund Budget Parks West Department of Planning and Community Development an amount not to exceed \$207,000, and for other purposes. **(Finance/Executive Committee Substitute adds the dollar amount, 2/28/07)**

**FAVORABLE ON SUBSTITUTE**

**Ms. Diane Harnell-Cohen:** Commissioner of the Department of Parks, Recreation and Cultural Affairs addressed the Committee by stating that we are asking to purchase property from Fulton County. The Substitute adds the dollar amount. It was originally part of Adams Park. The Library System built a new Library and no longer uses this

piece of property. Councilmember Maddox offered a motion to **Approve on Substitute, 4 Yeas.**

**TO AUTHORIZE THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA ("CITY"), TO ACQUIRE FROM FULTON COUNTY**

07-O-0275 (10) An Ordinance by Finance/Executive Committee Authorizing the Mayor, on behalf of the City of Atlanta ("City"), to acquire from Fulton County through the exercise of Eminent Domain Powers, the form Adamsville Library property located at 1480 Delowe Drive, SW, Atlanta, Georgia 30331, and for other purposes.

**FILE**

Chairperson Shook offered a motion to **File, 4 Yeas.**

**TO AUTHORIZE THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA ("CITY"), TO NEGOTIATE FOR AND PURCHASE APPROXIMATELY 4.32 ACRES OF PROPERTY**

07-O-0276 (11) A **Substitute** Ordinance by Finance/Executive Committee Authorizing the Mayor, on behalf of the City of Atlanta ("City"), to negotiate for and purchase approximately 4.32 acres of property located at 471 Collier Road, NW ("The Howard Property"), from the Trust For Public Land ("TPL"), in an amount not to exceed two million three hundred twenty eight thousand four hundred twenty five dollars (\$2,328,425.00), for the purpose of connecting Atlanta Memorial Park to Tanyard Creek Park and Ardmore Park and the proposed Beltline, the City's purchase price, due diligence and purchase services shall be paid from the General Government Capital Outlay Fund Budget in 1C28 571001 Y63F060392BG Facilities Other Than Buildings City Wide Greenspace Program; and amending the 2007 General Government Capital Outlay Fund Budget Department of Planning and Community Development by Transferring between Accounts the sum of two million dollars (\$2,000,000) and from Citywide Greenway Trails Projects Quality of Life Bond FAC 1C50-571001-Y63F063592BH in an amount equal to three hundred twenty eight thousand four hundred twenty five dollars (\$328,425.00); and for other purposes. **(Finance/Executive Committee Substitute corrects the Fund, Account and Center Number, 2/28/07)**

**FAVORABLE ON SUBSTITUTE**

Commissioner Harnell-Cohen stated that the Substitute corrects the Fund, Account and Center Number. We want to purchase 4.32 acres of property. The City has been looking at it for nine years. The family is now selling the property. We are paying below the appraised value. There will be no active park on it, but the Beltline trail will go through it. Councilmember Maddox offered a motion to **Approve on Substitute, 4 Yeas.**

**TO CORRECT THE CENTER NUMBER IDENTIFIED IN ORDINANCE 06-O-2144**

07-O-0369 (12) An Ordinance by Councilmember Howard Shook to Correct the Center Number identified in Ordinance 06-O-2144 adopted by the Atlanta City Council on October 16, 2006 and approved by the Mayor on October 24, 2006, on behalf of the Office of the Mayor; and for other purposes.

**FAVORABLE**

Councilmember Winslow offered a motion to **Approve, 5 Yeas**. CFO Davis stated that we are changing the Center Number because it was all put in the Council's Budget instead of Council's Budget and the Mayor's Budget.

**TO RATIFY AND AUTHORIZE THE EXECUTION OF RENEWAL AGREEMENT NO. 1**

07-O-0370 (13) An Ordinance by Councilmembers Howard Shook and Carla Smith to Ratify and Authorize the execution of Renewal Agreement No. 1, with corrected effective date, with Shaheed Construction Company, Inc. for FC-6004007803B, Annual Contract for installation of small water meters with backflow prevention devices, on behalf of the Department of Watershed Management; to Authorize the execution of Renewal Agreement No. 2 in an amount not to exceed three million dollars and no cents (\$3,000,000.00); all contracted work will be Charged to and Paid From Fund, Account and Center Number 2J21 (Water & Wastewater Renewal & Extension) 574001 (Facilities Other Than Buildings) Q65J081394DA (Small Meter Installation (New Meters); to Waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code of the City of Atlanta Code of Ordinances; and for other purposes.

**FAVORABLE**

**Ms. Sheila Pierce:** Deputy Commissioner of the Department of Watershed Management addressed the Committee by stating that this in essence will address three different areas. It changes the scope of the contract, addresses the date and exercises the second and final renewal option. It was executed in 2004 for a term of one year with two one-year renewal options. It will install small water meters. Councilmember Moore asked about the scope. Was it in the RFP? Ms. Pierce responded that in Section 2 it was to install small meters. Council then approved Legislation to install automated meters. We are currently installing the automated ones. Councilmember Winslow asked if the new meters would prevent theft. Ms. Pierce responded that the purpose is to install the best technology so that people won't tamper with them and they will provide us with the best reading. Councilmember Winslow offered a motion to **Approve, 5 Yeas**.

**TO AMEND ARTICLE "V", CLASSIFICATION PLAN, SECTION 114-477, OF THE CODE OF ORDINANCES, CITY OF ATLANTA, GEORGIA**

07-O-0371 (14) An Ordinance by Councilmember Howard Shook to Amend Article "V", Classification Plan, Section 114-477, of the Code of Ordinances, City of Atlanta, Georgia, so as to grant Above Entry Hiring Authorization; and for other purposes.

**FAVORABLE**

**Ms. Sherry Dickerson:** of the Department of Human Resources addressed the Committee by stating that the first one is for the Chief of Corrections. We want to hire up to Step 6. Mr. Zies responded that there is a justification attached for the above entry hiring. Councilmember Winslow offered a motion to **Approve, 5 Yeas**. Chairperson Shook asked for the Budget implication. Mr. Zies responded that it is Budget neutral.



**TO AMEND THE 2007 BUDGET OF THE PRINCETON LAKES TAD FUND (1B11)**

07-O-0373 (15) An Ordinance by Councilmembers Howard Shook and Jim Maddox to Amend the 2007 Budget of the Princeton Lakes TAD Fund (1B11); and for other purposes.

**FAVORABLE**

**TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ESTABLISH A TRUST FUND ACCOUNT AND SUB-ACCOUNTS**

07-O-0374 (16) An Ordinance by Councilmember Joyce Shepherd Authorizing the Chief Financial Officer to establish a Trust Fund Account and Sub-Accounts for all current and future community Projects sponsored by District 12 Councilmember Joyce M. Sheperd, so as to allow the City of Atlanta to accept funds on behalf of all current and future community Projects sponsored by District 12 Councilmember Joyce M. Sheperd; to provide for the administration and expenditure of funds from the designated Trust Fund Account and Sub-Accounts on behalf of community Projects sponsored by District 12 Councilmember Joyce M. Sheperd; and for other purposes.

**FAVORABLE**

CFO Davis stated that there are funds in another account. It is coming from Councilmember Sheperd's District Account. Chairperson Shook offered a motion to **Approve, 5 Yeas.**

**TO AUTHORIZE THE CHIEF FINANCIAL OFFICER, ON BEHALF OF THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT**

07-R-0307 (1) A Resolution by Finance/Executive Committee Authorizing the Chief Financial Officer, on behalf of the Department of Planning and Community Development, to pay all outstanding invoices to Kissberg Construction Company, Inc., for Demolition Services provided at various properties, in an amount of fifty six thousand six hundred dollars (\$56,600.00). All contracted work shall be Charged To and Paid From Fund, Account, and Center Number: 1B01 529002 Y43P0931A26A; and for other purposes.

**HELD**

**TO AUTHORIZE THE MAYOR TO ENTER INTO AN APPROPRIATE CONTRACTUAL AGREEMENT WITH PUBLIC FINANCIAL MANAGEMENT, FOR FC-6005007958-D**

07-R-0308 (2) A Resolution by Finance/Executive Committee Authorizing the Mayor to enter into an Appropriate Contractual Agreement with Public Financial Management, for FC-6005007958-D, Financial Advisor to the City of Atlanta, on behalf of the Department of Finance, in an amount not to exceed three hundred thousand dollars and no cents (\$300,000.00); all contracted work shall be Charged To and Paid From Fund Account and Center Numbers 1A01 (General Fund) 524001 (Consultant/Prof. Services) T31001 (Unallocated Fund-Wide Expenses); and for other purposes.

**FAVORABLE**

CFO Davis stated that this firm will be used to help with debt management and long term strategic planning. PFM is one of the best firms. They did a 5 year plan for the

City of Philadelphia. We are using them to help us with our projection capabilities for a multi-year plan. Councilmember Moore asked what is the result of the product? Do they tell us how to invest our money? CFO Davis responded that we will get debt management policies and what our limits should be. We have statutory limits. We want to know the comfortable capacity. The framework is for a multi-year plan. They will help us develop a better capital planning instrument as well as provide assistance and guidance in generating these documents. It is coming from the Citywide Account and it has been budgeted. Councilmember Martin stated that he has a copy of Exhibit 1. Is it the scope of work as well? CFO responded that she would get Mr. Chuck Meadows to come down and discuss it.

**Mr. Chuck Meadows:** Chief of Budget and Fiscal Policy addressed the Committee by stating that the work expands from our CAFR regarding low fund balance and negative excess. We are making sure we budget for capital improvement projects properly. We want to centralize a fund for technology as well. Those investments will generate savings. It is also a way for funding improvements in the Departments. He will provide the scope of work list. This is not for a long time frame. Councilmember Martin asked if you put in our needs. Mr. Meadows responded that this is for technology improvements Citywide. We want to improve the Legislative process as well. Councilmember Martin stated that we are soliciting input from the Subcommittee. Why is Council staff restricted? CFO Davis responded that when we provide funding for technology, it is from the Citywide Account. We treat it as a loan bank. The initial investment continues to be reinvested. We are trying to implement a productivity bank to see the return of spreading the technology. That is one of the products that will be coming from this paper. We already have the concept. Councilmember Martin asked what mechanism or advice will they give you to make that happen. CFO Davis responded that Council will have to appropriate the initial funding for it. You could take it back in equal installments from the Departments. She assumes that Council will appoint someone to the Loan Board as well. Councilmember Martin stated that someone has already thought about a Loan Board. CFO Davis responded that when it was done in Philadelphia, it was anticipated to make improvements when generating funding. Councilmember Martin asked what happens if the Commissioner/Director leaves and they assign it to someone else. CFO Davis responded that the Department is still responsible for repayment. We never had anyone to complain about it. Councilmember Maddox offered a motion to **Approve, 5 Yeas.**

**TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT WITH DESMEAR SYSTEMS, INC. FOR FC-3006007928**

07-R-0309 (3)

A Resolution by Finance/Executive Committee Authorizing the Mayor to enter into an Agreement with Desmar Systems, Inc. for FC-3006007928, Perry Boulevard Streetscapes (TE) Project, on behalf of the Department of Public Works, in an amount not to exceed seven hundred seventy seven thousand one hundred twenty two dollars and no cents (\$777,122.00); all contracted work will be Charged to and Paid From Fund, Account and Center Numbers: 1B02 (Intergovernmental Grant Fund) 574001 (Facilities Other Than Buildings) M23F054AEB0 (Perry Blvd Streetscape, Phase II) (\$500,000.00), 1C50 (2004 Quality of Life Fund) (Facilities Other Than Buildings) Y63F058992BH (Streetscape Projects, District 9) (\$277,122.00); and for other purposes.

**FAVORABLE**

Councilmember Maddox asked did they meet the minority participation requirement.

**Ms. Michele Williams:** of the Department of Public Works addressed the Committee by stating that it is 17% female and 17% minority. Councilmember Maddox offered a motion to **Approve, 5 Yeas.**

**TO AUTHORIZE THE CITY ATTORNEY TO EXECUTE A RETAINER AGREEMENT  
WITH THE LAW FIRMS OF \_\_\_\_\_ AND \_\_\_\_\_**

07-R-0360 (4) A Resolution by Finance/Executive Committee Authorizing the City Attorney to execute a Retainer Agreement with the Law Firms of \_\_\_\_\_ and \_\_\_\_\_ to serve as Co-Bond Counsel to the City of Atlanta and Fulton County Recreation Authority in connection with the Issuance of Revenue Bonds; to Authorize the chief Financial Officer to pay fees and costs for legal services rendered in an amount not to exceed \$\_\_\_\_\_ plus expenses for legal services rendered pursuant to said Retainer Agreement; and for other purposes.

**FILE**

**Ms. Melanie Wallace:** Senior City Attorney addressed the Committee by stating that we want to File this paper.

**TO AUTHORIZE THE CITY ATTORNEY TO EXECUTE A RETAINER AGREEMENT  
WITH THE LAW FIRM OF MURRAY BARNES FINISTER LLP**

07-R-0381 (5) A Resolution by Finance/Executive Committee Authorizing the City Attorney to execute a Retainer Agreement with the Law Firm of Murray Barnes Finister LLP to serve as Bond Counsel to the City of Atlanta in connection with the Issuance of Westside Tax Allocation Revenue Bonds, Series 2007; to authorize the Chief Financial Officer to pay fees and costs for legal services rendered in an amount not to exceed \$70,000 plus expenses pursuant to said Retainer Agreement; and for other purposes.

**HELD**

Chairperson Shook stated that we are Holding this pending the outcome of the TAD Bonds. Senior City Attorney Wallace stated that we are Holding the paper close to the issuance of the Bond.

**TO AMEND THE CODE OF THE CITY OF ATLANTA, GEORGIA BY ADDING TO  
SECTION 2-183**

06-O-0787 (1) An Ordinance by Councilmember Caesar C. Mitchell to Amend the Code of the City of Atlanta, Georgia by adding to Section 2-183; Department Heads under supervision and direction of the Mayor; exception responsibilities; and for other purposes. **(Held, 3/29/06); (Held and Substituted, 7/12/06)**

**HELD**

**TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO ENTER INTO AN  
APPROPRIATE AGREEMENT WITH THE STATE OF GEORGIA DEPARTMENT OF  
TRANSPORTATION**

06-R-1450 (2) A Resolution by Councilmembers Mary Norwood and Ceasar C. Mitchell Authorizing the Mayor or her Designee to enter into an Appropriate Agreement with the State of Georgia Department of Transportation to accept funding in the amount of \$86,000.00 for the maintenance of State Highways within the City Limits in furtherance of the City's partnership with the Department of Transportation to provide employment opportunities to homeless individuals; and for other purposes. **(Held and Substituted, 6/28/06)**

**HELD****TO AMEND THE 2006 (SOLID WASTE SERVICES REVENUE FUND) BUDGET**

- 06-O-1451 (3) An Ordinance by Councilmembers Mary Norwood and Ceasar C. Mitchell Amending the 2006 (Solid Waste Services Revenue Fund) Budget by Adding To Anticipations and Appropriations the amount of \$86,000.00 from the State of Georgia Department of Transportation for the purpose of funding litter removal and other services related to road maintenance within the City Limits in furtherance of the City's Partnership with the Department of Transportation to provide employment opportunities for homeless individuals; and for other purposes. **(Held and Substituted, 6/28/06)**

**HELD****TO AUTHORIZE THE MAYOR TO EXECUTE A MASTER AGREEMENT WITH TDC SYSTEMS INTEGRATION, INC.**

- 06-R-1667 (4) A Resolution by Finance/Executive Committee Authorizing the Mayor to execute a Master Agreement with TDC Systems Integration, Inc. for FC-6006007881, Citywide On-Call Services for Information Technology Staffing; authorizing the Chief Information Officer of the Department of Information Technology, the Director of Information Technology of the Department of Watershed Management and the Aviation Information Systems Director of the Department of Aviation to execute all statements of work; all contracted work shall be Charged To and Paid From Various Fund, Account and Center Numbers; and for other purposes. **(Held and Amended, 8/16/06)**

**HELD****TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS THE SANDTOWN COMMUNITY**

- 06-O-1924 (5) An Ordinance by Councilmembers Howard Shook, Jim Maddox, H. Lamar Willis and Ceasar C. Mitchell to provide for the Annexation of Land known as the Sandtown Community to the Corporate Limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Referred back by Full Council, 12/04/06);(Held, 12/13/06)**

**HELD****TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS CASCADE GLENN**

- 06-O-1926 (6) An Ordinance by Councilmembers Howard Shook, Jim Maddox, H. Lamar Willis and Ceasar C. Mitchell to provide for the Annexation of Land known as Cascade Glenn to the Corporate Limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Referred back by Full Council, 12/04/06); (Held, 12/13/06)**

**HELD**

**TO PROVIDE FOR THE ANNEXATION OF LAND TO THE CORPORATE LIMITS OF THE CITY OF ATLANTA, GEORGIA**

- 06-O-2250 (7) An Ordinance by Councilmembers Jim Maddox, H. Lamar Willis and Ceasar C. Mitchell to provide for the Annexation of Land to the Corporate Limits of the City of Atlanta, Georgia; to provide for the notification of the Department of Community Affairs of the State of Georgia of such Annexation; and for other purposes. **(Held, 10/11/06)**

**HELD**

**TO REQUEST THAT THE MAYOR AND THE ATLANTA CITY COUNCIL DISCONTINUE THE ANNUAL REQUEST FOR AND USE OF THE \$8,000,000.00 ANNUAL BOND GENERAL OBLIGATION FUNDS**

- 06-R-2473 (8) A Resolution by Councilmember Howard Shook Requesting that the Mayor and the Atlanta City Council discontinue the annual request for and use of the \$8,000,000.00 annual Bond General Obligation Funds; and for other purposes. **(Held, 11/15/06)**

**HELD**

**TO AUTHORIZE THE MAYOR TO EXECUTE AMENDMENT AGREEMENT NO. 1 WITH JOHNSON CONTROLS, INC.**

- 06-R-2640 (9) A Resolution by Finance/Executive Committee Authorizing the Mayor to execute Amendment Agreement No. 1 with Johnson Controls, Inc. for FC-6005007980, Security Cameras – Repair and Replacement Services, adding labor rates and additional funding, on behalf of the Department of Watershed Management, in an amount not to exceed three hundred sixty seven thousand dollars and no cents (\$367,000.00); all contracted work will be Charged To and Paid From Fund, Account and Center Number 2J21 (Water & Wastewater Renewal & Extension) 574001 (Facilities Other Than Buildings) Q12T07419999 (Water Security Surcharge); and for other purposes. **(Held, 12/13/06)**

**HELD**

**TO AMEND THE CODE OF ORDINANCES, CITY OF ATLANTA, GEORGIA**

- 06-O-2700 (10) An Ordinance by Councilmember Howard Shook to Amend the Code of Ordinances, City of Atlanta, Georgia, creating a new Chapter 114, Personnel; and for other purposes. **(Held for Work Session, 12/13/06)**

**HELD**

Councilmember Maddox asked if we are going to discuss the Personnel Paper. Chairperson Shook stated that the President of Council asked Commissioner Ransom to join Council at the Retreat on tomorrow.

**Ms. Benita Ransom:** Commissioner of the Department of Human Resources addressed the Committee by stating that she is excited about moving this Legislation forward. Chairperson Shook stated that we need to have another Work Session with the Union Representatives. Councilmember Maddox stated that it makes sense to discuss it at the Retreat first. If we have a Compensation Committee, the President of Council and Chair of Finance should be part of it. Councilmember Moore stated that she is not willing to delegate her authority to Commissioners or the Council President, who does

not have a vote. She wants to keep it as it is. Chairperson Shook stated that we need to have another Work Session. Councilmember Martin stated that he supports the Work Session because the Union and the Department of Human Resources had eight items they did not agree on. There seems to be a pattern of taking everything away from Elected Officials and giving it to group entities. Governance is the issue and it should go through a process.

**TO CREATE A POSITION IN THE UNCLASSIFIED SERVICE OF THE ATLANTA WORKFORCE DEVELOPMENT AGENCY**

07-O-0126 (11) A **Substitute** Ordinance by Finance/Executive Committee Creating a position in the Unclassified Service of the Atlanta Workforce Development Agency funded by Grant Funds by the Workforce Investment Act; to authorize above-entry hiring of a position in the Atlanta Workforce Development Agency; and to authorize the reclassification of the salary, grade, and step of an incumbent employee in the Atlanta Workforce Development Agency; and for other purposes. **(Held and Substituted, 2/14/07)**

**HELD**

**Mr. Jerry Rucker:** of the Atlanta Workforce Development Authority addressed the Committee by stating that we are asking for Step 4. The position will be paid from Grant Funds. Chairperson Shook stated that we are moving an incumbent as well. Councilmember Maddox offered a motion to **Approve, 5 Yeas.**

**TO AMEND THE PROCUREMENT CODE OF THE CITY OF ATLANTA, GEORGIA**

07-O-0138 (12) An Ordinance by Councilmember Ceasar C. Mitchell to Amend the Procurement Code of the City of Atlanta, Georgia by Adding to Section 2-1142; monthly report to City Council; and for other purposes. **(Held, 1/31/07)**

**HELD**

**TO AMEND SECTIONS 2-42 AND 2-857 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA**

07-O-0250 (13) An Ordinance by Councilmember Jim Maddox to Amend Sections 2-42 and 2-857 of the Code of Ordinances of the City of Atlanta, Georgia (entitled "Convention, Training and Travel Expenses for Councilmembers and Staff" and reimbursement of Convention, Training and Travel Expenses" respectively) so as to increase the rate of per diem from \$59.00 to \$64.00; to provide that receipts for per diem expense reimbursements only be provided when per diem expenses exceed the amount of \$64.00; to waive conflicting Ordinances; and for other purposes. **(Held and Substituted, 2/14/07)**

**FILE**

**TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO EXECUTE AN INTERGOVERNMENTAL HOUSING COOPERATION AGREEMENT WITH ATLANTA HOUSING OPPORTUNITY, INC.**

07-R-0256 (14) A **Substituted and Amended** Resolution by Finance/Executive Committee Authorizing the Mayor or her Designee to execute an Intergovernmental Housing Cooperation Agreement with Atlanta

Housing Opportunity, Inc., and for other purposes. **(Held and Substituted, 2/14/07)**

**FAVORABLE ON SUBSTITUTE AS AMENDED**

**Mr. James Shelby:** Deputy Commissioner of the Department of Planning and Community Development addressed the Committee by stating that we have a Substitute that authorizes the Corporation of the Housing Cooperation Agreement with Atlanta Housing Opportunity, Inc. There were three items that came out of the Work Session in Section 5.5 B and Section 5.5 C. We added a clause that when it occurs over 10% of the aggregate amount, we would come back to Council through the Legislative process. The third change is on page #18, Land Acquisition. They would have to come back for that.

**Mr. Earl Taylor:** Outside Counsel addressed the Committee by stating that we have changes in Section 5.5 B and Section 5.5 C on page #14, prior to the issue of Bonds, etc. He will add information to the Resolution. Councilmember Moore stated that she wants to be clear regarding the language approving the purposes. It does not approve the process. Mr. Taylor responded that you are approving this each time Bonds are issued. Councilmember Moore stated that it sounds like two different things. Mr. Taylor responded that he would add in which the amounts would be deposited. Councilmember Moore stated it should read and the amounts. She is thinking the lump sum amount. We should approve the program fund and the amount deposited. CFO Davis added that it references Exhibit "A". Mr. Taylor responded that we don't want to reference it as Exhibit "A" because we would have to amend the IGA every time. We would say "should approve the amount and the purposes of the amount being applied". It would be added to Section 5.5 B. Councilmember Maddox offered a motion to **Approve on Substitute as Amended, 5 Yeas**. Councilmember Moore asked for Council to receive a quarterly report. Deputy Commissioner Shelby responded that we will do that on a quarterly basis. Mr. Taylor added that the IGA is between the City and the Corporation. That is an internal matter. There is an informational reporting requirement already in place. Councilmember Moore asked how do we know we will get it. Councilmember Maddox stated that we normally have various Departments come in and make reports. Councilmember Moore asked that the quarterly reports from them be passed on to the Council. Deputy Commissioner Shelby responded that it is part of our standard procedure. Councilmember Martin stated that he has concerns with Exhibit E-1 (Map) regarding the transportation piece.

**ITEMS NOT ON AGENDA**

**TO OPPOSE HOUSE BILL 306, WHICH RELATES TO ANNEXATION OF TERRITORY**

07-R-0412 (1) A Resolution by Finance/Executive Committee Opposing House Bill 306, which relates to Annexation of Territory, now being considered by the Georgia State Legislature; and for other purposes.

**FAVORABLE**

Ms. Middleton stated that **HB 306** relates to the annexation of territory. That territory can become a new City. The recommendation is to oppose it. Councilmember Winslow asked if this would limit Unincorporated areas from a City Government. This is by a Referendum only. Ms. Middleton responded that it could affect Annexation or a new municipality that has already gone to the State. Councilmember Maddox stated that he supports the Resolution because to do that we are telling the people they cannot come into the City. He then offered a motion to **Approve, 5 Yeas**.

**TO OPPOSE HOUSE BILL 305, WHICH RELATES TO CITY OWNERSHIP OF REAL PROPERTY IN ANOTHER MUNICIPALITY**

07-R-0413 (2) A Resolution by Finance/Executive Committee Opposing House Bill 305, which relates to City Ownership of Real Property in another Municipality, now being considered by the Georgia State Legislature; and for other purposes.

**FAVORABLE**

Ms. Middleton stated that **HB 305** relates to the ownership of Real Property. It could affect us with the Airport issues. We are asking for opposition. Councilmember Maddox offered a motion to **Approve, 5 Yeas.**

**TO AUTHORIZE THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA ("CITY"), TO ENTER INTO AN AGREEMENT WITH THE TRUST FOR PUBLIC LAND ("TPL")**

07-O-0406 (1) An Ordinance by Finance/Executive Committee Authorizing the Mayor, on behalf of the City of Atlanta ("City"), to enter into an Agreement with the Trust For Public Land ("TPL"), to perform Real Estate Research and Due Diligence Services, and to set up an account in an amount not to exceed two hundred fifty thousand dollars (\$250,000.00), for the purpose of reimbursing "TPL" for such Real Estate Research and Due Diligence Services performed, on behalf of the Department of Parks, Recreation, and Cultural Affairs ("Department"), for properties located along the proposed Beltline. All costs shall be Paid From and Charged To Fund, Account, and Center Number 1C53 (2005A Park Improvement Bond Fund) 571001 (Land) N12D11B69999 (Ground and Site Improvement City Wide); and for other purposes.

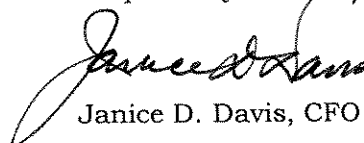
**FAVORABLE ON FIRST READ**

**Mr. Dave Walker:** addressed the Committee by stating that the new City Attorney is never at these meetings. He thought that Mr. Jeffrey Norman, Senior City Attorney would come back and give us the status of the credit card issue. Will we find out that information today? Are you shielding the Administration? Chairperson Shook responded no because that item was not on today's Agenda. Mr. Walker responded that the public needs to know. When will we know when the situation is going to end? He stated that he has concerns because when the Senator was here speaking, he was interrupted and you scolded him. He is appalled that the black Councilmembers did not give him support for his No Knock Warrant Legislation. It did not seem like you were concerned regarding Ms. Johnston's protection. He thought that the Senator was disrespected.

**ADJOURNMENT**

Having no further business before the Committee, the meeting was adjourned at 3:50 p.m.

Respectfully submitted,



Janice D. Davis, CFO

Charlene Parker  
Recording Secretary

***"The Department of Finance... because customer service is important to us."***